

TREE MAINTENANCE IN MOBILE HOME PARKS

2013 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill modifies the Mobile Home Park Residency Act.

Highlighted Provisions:

This bill:

- defines terms; and
- requires a mobile home park to perform necessary maintenance on certain trees in the mobile home park.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

57-16-3, as last amended by Laws of Utah 2002, Chapter 255

ENACTS:

57-16-19, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **57-16-3** is amended to read:

57-16-3. Definitions.

As used in this chapter:

(1) "Amenities" means the following physical, recreational or social facilities located at a mobile home park:

- (a) a club house;
- (b) a park;
- (c) a playground;
- (d) a swimming pool;

- (e) a hot tub;
(f) a tennis court; or
(g) a basketball court.

(2) "Change of use" means a change of the use of a mobile home park, or any part of it, for a purpose other than the rental of mobile home spaces.

(3) "Fees" means other charges incidental to a resident's tenancy including, but not limited to, late fees, charges for pets, charges for storage of recreational vehicles, charges for the use of park facilities, and security deposits.

(4) "Mobile home" means a transportable structure in one or more sections with the plumbing, heating, and electrical systems contained within the unit, which when erected on a site, may be used with or without a permanent foundation as a family dwelling.

(5) "Mobile home park" means any tract of land on which two or more mobile home spaces are leased, or offered for lease or rent, to accommodate mobile homes for residential purposes.

(6) "Mobile home space" means a specific area of land within a mobile home park designed to accommodate one mobile home.

(7) "Rent" means charges paid for the privilege of occupying a mobile home space, and may include service charges and fees.

(8) "Resident" means an individual who leases or rents space in a mobile home park.

(9) "Service charges" means separate charges paid for the use of electrical and gas service improvements which exist at a mobile home space, or for trash removal, sewage and water, or any combination of the above.

(10) "Settlement discussion expiration" means:

(a) the resident has failed to give a written notice of dispute within the period specified in Subsection 57-16-4.1(2); or

(b) the resident and management of the mobile home park have met together under Subsection 57-16-4.1(3) but were unsuccessful in resolving the dispute in their meeting.

(11) (a) "Tree maintenance services" means the work necessary to maintain a live tree in compliance with the standards set by the American Association of Nurserymen.

(b) "Tree maintenance services" does not include the removal of leaves, needles, pine cones, sap, fruit, pods, seed container, or any other material normally produced by a tree.

Section 2. Section 57-16-19 is enacted to read:

57-16-4.2. Tree maintenance.

(1) A mobile home park shall perform tree maintenance services on a tree that is located on a lot or in a common area of the mobile home park if the tree is 25 feet or taller and the trunk is larger than six inches in diameter.

(2) Unless emergency circumstances exist, no fewer than three days before the day on which a mobile home park performs a tree maintenance service on a tree that is located on a lot leased to a resident, the mobile home park shall give the resident written notice of the tree maintenance service, including:

(a) the date on which the tree maintenance service will be performed;

(b) an approximate time the tree maintenance service will be performed; and

(c) a brief description of the tree maintenance service.

Legislative Review Note
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Office of Legislative Research and General Counsel